IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM NO.71711-M of 2006
DATE OF DECISION.14.12.2006

Kheta Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr. APS Deol, Advocate
Mr. M. S. Joshi, DAG, Punjab.
Mr. Parminder Singh, Advocate
for complainant.

AJAI LAMBA , J(Oral)

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This is a petition under Section 439 of the Code of Criminal Procedure for bail in a case lodged under Sections 307, 120 B, 34 IPC and Section 25 of the Arms Act.

It is pleaded that the petitioner is not the person who fired the shot. Non applicant Jassa Singh @ Jaskaran Singh is the main accused to whom the injury is attributed. The petitioner has not been named and only his age has been given which cannot be construed as sufficient details of identification so as to implicate him. Be that as it may, only allegation against the petitioner is of giving LALKARA. The trial is being delayed on account of non appearance of one of the accused Resham Singh. The proceedings had to be adjourned to 16.10.2006, 2.11.2006, 17.11.2006 and 4.12.2006 for securing the presence of the accused Resham Singh.

Considering the fact that the petitioner has not named

the main accused as also his custody period i.e from 25.3.2006 and also the fact that all the material witnesses have already been examined, the petition is allowed.

Bail to the satisfaction of Chief Judicial Magistrate / Duty Magistrate, Bhatinda.

December14,2006 **(AJAI LAMBA)**
mamta **JUDGE**